



12-20-04

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: CLARK C. DAVIS et al. Confirmation No.: 1503  
Serial No.: 10/604,504 Examiner: Charles Alan Marmor, II  
Filing Date: JULY 25, 2003 Group Art Unit: 3736  
Title: MEDICAL DEVICE FOR NAVIGATION THROUGH ANATOMY AND METHOD OF MAKING SAME  
Docket No.: 1001.1869101 Customer No.: 28075

**TRANSMITTAL SHEET**

MAIL STOP: AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**CERTIFICATE UNDER 37 C.F.R. 1.10:** The undersigned hereby certifies that this paper or papers, as described herein, are being deposited in the United States Postal Service, "Express Mail Post Office to Addressee" having an Express Mail mailing label number of: EV 315611506 US, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 17<sup>th</sup> day of DECEMBER, 2004.

By

Thu H. Le-To

Dear Sir:

We are transmitting herewith the attached:

- ☒ Request to Correct the Inventorship under 37 CFR §1.48(c)
- ☒ Statement of Stephen C. Jacobsen
- ☒ Combined Declaration and Power of Attorney
- ☒ Consent of Assignee
- ☒ Preliminary Amendment
- ☒ A copy of the Assignment executed by Stephen C. Jacobsen
- ☒ Revocation of Prior Powers of Attorney and Power of Attorney
- ☒ Check(s) in the amount of \$130.00 for processing fee and in the amount of \$350.00 for additional claims fee are enclosed
- ☒ Postcard receipt
- ☒ Please charge any deficiencies or credit overpayment to Deposit Account No. 50-0413.

CLAIMS AS AMENDED					
	REMAINING CLAIMS	HIGHEST PAID	# EXTRA	RATE	ADD'L FEE
TOTAL CLAIMS	75 -	72 =	3	x50=	\$150
INDEPENDENT CLAIMS	10 -	9 =	1	x200=	\$200
TOTAL			\$ 350.00		

By:

J. Scot Wickhem, Reg. No. 41,376  
CROMPTON, SEAGER & TUFTE, LLC  
1221 Nicollet Avenue, Suite 800  
Minneapolis, Minnesota 55403-2420  
Telephone: (612) 677-9050  
Facsimile: (612) 359-9349



**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: CLARK C. DAVIS et al. Confirmation No.: 1503  
Serial No.: 10/604,504 Examiner: Marmor II, Charles Alan  
Filing Date: JULY 25, 2003 Group Art Unit: 3736  
Title: MEDICAL DEVICE FOR NAVIGATION THROUGH ANATOMY AND  
METHOD OF MAKING SAME  
Docket No.: 1001.1869101 Customer No.: 28075

**REQUEST TO CORRECT THE INVENTORSHIP**  
**UNDER 37 C.F.R. § 1.48(c)**

MAIL STOP: AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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By   
Thu H. Le-To

Dear Sir:

Applicants hereby request the addition of Stephen C. Jacobsen as a named inventor in the above-referenced Application, pursuant to 37 C.F.R. § 1.48(c). The addition of Mr. Jacobsen as an inventor is necessitated by amendment of the claims.

Accompanying this request, please find a STATEMENT OF LACK OF STEPHEN C. JACOBSEN Under 37 C.F.R. §1.48(c)(2); a newly executed COMBINED DECLARATION/POWER OF ATTORNEY FOR PATENT APPLICATION; a WRITTEN CONSENT OF THE ASSIGNEE Under 37 C.F.R. §3.73(b); check(s) in the amount of \$130.00 for processing fee required by 37 C.F.R. §1.17(i) and in amount of \$350.00 for additional claims fee; a Preliminary Amendment; and an Assignment executed by Stephen C. Jacobsen is currently being filed herewith.

12/22/2004 CNGUYEN 00000045 10604504

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130.00 OP

Issuance of a corrected filing receipt reflecting the addition of Stephen C. Jacobsen as an inventor in the above-referenced Application is respectfully requested. Please also indicate Stephen C. Jacobsen as the first named inventor in the above-referenced application.

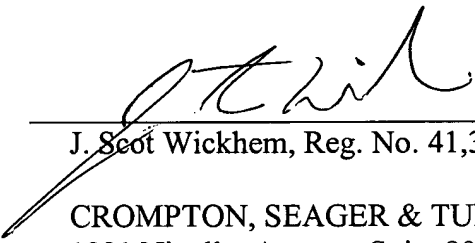
Respectfully submitted,

CLARK C. DAVIS et al.

By their attorney,

Date:

December 17, 2004

  
J. Scot Wickhem, Reg. No. 41,376

CROMPTON, SEAGER & TUFTE, LLC  
1221 Nicollet Avenue, Suite 800  
Minneapolis, Minnesota 55403-2420  
Telephone: (612) 677-9050  
Facsimile: (612) 359-9349



**COMBINED DECLARATION/POWER OF ATTORNEY  
FOR PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**MEDICAL DEVICE FOR NAVIGATION THROUGH ANATOMY AND  
METHOD OF MAKING SAME**

the specification of which (check one):

\_\_\_\_\_ is attached hereto  
☒ was filed on JULY 25, 2003 as U.S. Application Serial No. 10/604,504  
\_\_\_\_\_ and was amended \_\_\_\_\_ on (if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefit(s) under Title 35, United States Code §119 (a)-(d) of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

**Prior Foreign Application(s)**

Number :  
Country :  
Day/Month/Year Filed :  
Priority (yes/no) :

Number :  
Country :  
Day/Month/Year Filed :  
Priority (yes/no) :

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) as listed below:

Provisional Application No.

Filing Date

60/399,046

07/25/2002

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) or PCT international applications designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information that is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 and that which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial No.

Filing Date

Status (patented, pending, abandoned)

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the Practitioners associated with the **Customer No. 28075** as my/our attorney to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

The undersigned hereby authorizes the U.S. attorney or agent named herein to accept and follow instructions from Precision Vascular Systems, Inc., as to any action to be taken in the United States and Trademark Office regarding this application without direct communication between the U.S. attorney or agent and the undersigned. In the event of a change in the persons from whom instruction may be taken, the U.S. attorney or agent named herein will be so notified by the undersigned

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon, I further declare that I understand the content of this declaration.

Full name of sole or first inventor: STEPHEN C. JACOBSEN  
Residence: SALT LAKE CITY, UTAH  
Post Office Address: 274 South 1200 East, Salt Lake City, Utah 84102

Citizenship: U.S.A.

Inventor's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

DEC. 1 / 04

Full name of second or joint inventor: CLARK C. DAVIS  
Residence: HOLLADAY, UTAH  
Post Office Address: 4564 Wallace Lane, Holladay, Utah 84117

Citizenship: U.S.A.

Inventor's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Full name of third or joint inventor: CLAY W. NORTHROP  
Residence: SALT LAKE CITY, UTAH  
Post Office Address: 2917 Cascade Way, Salt Lake City, Utah 84109

Citizenship: U.S.A.

Inventor's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Full name of fourth or joint inventor: TED W. LAYMAN  
Residence: PARK CITY, UTAH  
Post Office Address: 7655 N. Whileaway Road, Park City, Utah 84098

Citizenship: U.S.A.

Inventor's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Full name of fifth or joint inventor: KEVIN T. OLSON  
Residence: SALT LAKE CITY, UTAH  
Post Office Address: 773 East Jepson Avenue, Salt Lake City, Utah 84106

Citizenship: U.S.A.

Inventor's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Full name of sixth or joint inventor: EDWARD J. SNYDER  
Residence: PARK CITY, UTAH  
Post Office Address: 8559 Southridge Drive, Park City, Utah 84098

Citizenship: U.S.A.

Inventor's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Full name of sole or first inventor: STEPHEN C. JACOBSEN  
Residence: SALT LAKE CITY, UTAH  
Post Office Address: 274 South 1200 East, Salt Lake City, Utah 84102

Citizenship: U.S.A.

Inventor's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Full name of second or joint inventor: CLARK C. DAVIS  
Residence: HOLLADAY, UTAH  
Post Office Address: 4564 Wallace Lane, Holladay, Utah 84117

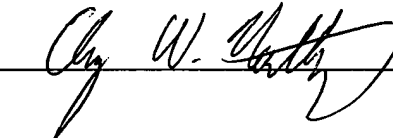
Citizenship: U.S.A.

Inventor's Signature: 

Date: 12/06/2004

Full name of third or joint inventor: CLAY W. NORTHROP  
Residence: SALT LAKE CITY, UTAH  
Post Office Address: 2917 Cascade Way, Salt Lake City, Utah 84109

Citizenship: U.S.A.

Inventor's Signature: 

Date: 12/2/04

Full name of fourth or joint inventor: TED W. LAYMAN  
Residence: PARK CITY, UTAH  
Post Office Address: 7655 N. Whileaway Road, Park City, Utah 84098

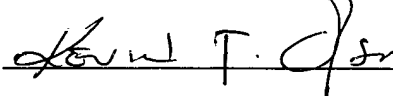
Citizenship: U.S.A.

Inventor's Signature: 

Date: 12-2-04

Full name of fifth or joint inventor: KEVIN T. OLSON  
Residence: SALT LAKE CITY, UTAH  
Post Office Address: 773 East Jepson Avenue, Salt Lake City, Utah 84106

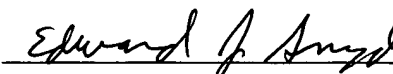
Citizenship: U.S.A.

Inventor's Signature: 

Date: 12/6/04

Full name of sixth or joint inventor: EDWARD J. SNYDER  
Residence: PARK CITY, UTAH  
Post Office Address: 8559 Southridge Drive, Park City, Utah 84098

Citizenship: U.S.A.

Inventor's Signature: 

Date: 12-3-04

Full name of seventh or joint inventor: D. KENT BACKMAN

Residence: SALT LAKE CITY, UTAH

Citizenship: U.S.A.

Post Office Address: 3299 Splendor Way, Salt Lake City, Utah 84124

Inventor's Signature:

D. Kent Backman

Date:

9 Dec 2004

Full name of eighth or joint inventor: TODD H. TURNLUND

Residence: PARK CITY, UTAH

Citizenship: U.S.A.

Post Office Address: 3008 Wedge Circle, Park City, Utah 84098

Inventor's Signature:

Todd H. Turnlund

Date:

DEC 2, 2004



Full name of seventh or joint inventor: D. KENT BACKMAN

Residence: SALT LAKE CITY, UTAH

Citizenship: U.S.A.

Post Office Address: 3299 Splendor Way, Salt Lake City, Utah 84124

Inventor's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Full name of eighth or joint inventor: TODD H. TURNLUND

Residence: PARK CITY, UTAH

Citizenship: U.S.A.

Post Office Address: 3008 Wedge Circle, Park City, Utah 84098

Inventor's Signature: Todd H. Turnlund

Date: DEC 2, 2004

## § 1.56

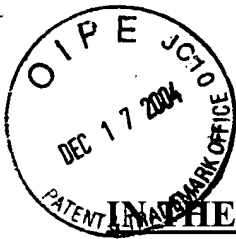
### Duty to disclose information material to patentability.

- (a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:
- (1) Prior art cited in search reports of a foreign patent office in a counterpart application, and
  - (2) The closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claims patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
- (1) It establishes, by itself or in combination with other information, a *prima facie* case of unpatentability of a claim; or
  - (2) It refutes, or is inconsistent with, a position the applicant takes in:
    - (i) Opposing an argument of unpatentability relied on by the Office, or
    - (ii) Asserting an argument of patentability.

A *prima facie* case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
- (1) Each inventor named in the application;
  - (2) Each attorney or agent who prepares or prosecutes the application; and
  - (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.
- (e) In any continuation-in-part application, the duty under this section includes the duty to disclose to the Office all information known to the person to be material to patentability, as defined in paragraph (b) of this section, which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

[42 FR 5593, Jan. 28, 1997; paras. (d) & (e) – (i), 47 FR 21751, May 19, 1982, effective July 1, 1982; para. (c), 48 FR 2710, Jan. 20, 1983, effective Feb. 27, 1983; paras. (b) and (j), 49 FR 554, Jan. 4, 1984, effective Apr. 1, 1984; paras. (d) and (h), 50 FR 5171, Feb. 6, 1985, effective Mar. 8, 1985; para. (e), 53 FR 47808, Nov. 28, 1988, effective Jan. 1, 1989; 57 FR 2021, Jan. 17, 1992, effective Mar. 16, 1992; para. (e) added, 65 FR 54604, Sept. 8, 2000, effective Nov. 7, 2000]



PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: CLARK C. DAVIS et al. Confirmation No.: 1503  
Serial No.: 10/604,504 Examiner: Marmor II, Charles Alan  
Filing Date: JULY 25, 2003 Group Art Unit: 3736  
Title: MEDICAL DEVICE FOR NAVIGATION THROUGH ANATOMY AND  
METHOD OF MAKING SAME  
Docket No.: 1001.1869101 Customer No.: 28075

**WRITTEN CONSENT OF THE ASSIGNEE UNDER 37 C.F.R. § 3.73(b)**

MAIL STOP: PETITION  
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P.O. Box 1450  
Alexandria, VA 22313-1450

**CERTIFICATE UNDER 37 C.F.R. 1.10:** The undersigned hereby certifies that this paper or papers, as described herein, are being deposited in the United States Postal Service, "Express Mail Post Office to Addressee" having an Express Mail mailing label number of: EV 315611506 US, in an envelope addressed to: Mail Stop ~~Amendment~~ Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 17<sup>th</sup> day of December, 2004.

By                       
Thu H. Le-To

Precision Vascular Systems, Inc., Owner by assignment of the above-captioned patent, hereby consents to correct the inventorship to add Stephen C. Jacobsen. Pursuant to 37 C.F.R. §3.73(b), Precision Vascular Systems, Inc., a corporation, certifies that it is the assignee of the entire right, title and interest in and to the patent identified above by virtue of a concurrently filed Assignment by Stephen C. Jacobsen and by an Assignment from the currently named inventors as recorded in the United States Patent and Trademark Office on August 19, 2003, at Reel 013884, Frame 0463.

Respectfully submitted,

Precision Vascular Systems, Inc.

Date 12/2/04

By:                       
Name: Steven A. McAuley  
Title: Patent Counsel



PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: CLARK C. DAVIS et al. Confirmation No.: 1503  
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METHOD OF MAKING SAME  
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**STATEMENT OF STEPHEN C. JACOBSEN**  
**UNDER 37 C.F.R. § 1.48(c)(2)**

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By

Thu H. Le-To

I, Stephen C. Jacobsen, hereby declare that the addition of my name as an inventor of the above-referenced patent application is necessitated by the amendment of the claims, and that there is and has been no deceptive intention on my part with respect to inventorship of this patent application.

Dated:

DEC. 1/04

By:

## ASSIGNMENT

WHEREAS, *STEPHEN C. JACOBSEN*, residing at 274 South 1200 East, Salt Lake City, Utah 84102 has made certain new and useful inventions and improvements for which they have executed an application for Letters Patent of the United States, which is entitled MEDICAL DEVICE FOR NAVIGATION THROUGH ANATOMY AND METHOD OF MAKING SAME as filed on JULY 25, 2003, as U.S. Serial No. 10/604,504;

AND WHEREAS, *Precision Vascular Systems, Inc.*, a corporation organized and existing under and by virtue of the laws of Utah, and having a business address of 2405 West Orton Circle, West Valley City, Utah 84119 is desirous of acquiring the entire right, title and interest in and to said inventions, improvements, application, and Letters Patent to be obtained therefor;

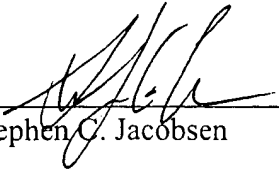
NOW, THEREFORE, to all whom it may concern, be it known that for and in consideration of the sum of One Dollar and other good and valuable considerations, the receipt and sufficiency whereof is hereby acknowledged, we have sold, assigned and transferred, and by these presents do sell, assign and transfer unto said *Precision Vascular Systems, Inc.*, its successors or assigns, the entire right, title and interest for all countries in and to all inventions and improvements disclosed in the aforesaid application, and in and to the said application, all divisions, continuations, or renewals thereof, all Letters Patent which may be granted therefrom, and all reissues or extensions of such patents, and in and to any and all applications which shall be filed in any foreign countries for Letters Patent on the said inventions and improvements, including an assignment of all rights under the provisions of the International Convention, and all Letters Patent of foreign countries which may be granted therefrom; and we do hereby authorize and request the Commissioner of Patents to issue any and all United States Letters Patent for the aforesaid inventions and improvements to said *Precision Vascular Systems, Inc.*, its successors and assigns.

AND, for the consideration aforesaid, we do hereby agree that our executors and legal representatives will make, execute and deliver any and all other instruments in writing including any other documents, and will communicate to said *Precision Vascular Systems, Inc.*, its successors and representatives all facts known to us relating to said improvements and the history thereof and will testify in all legal proceedings and generally do all things which may be necessary or desirable to more effectually secure to and vest in *Precision Vascular Systems, Inc.*, its successors or assigns the entire right, title and interest in and to the said improvements, inventions, applications, Letters Patent, rights, titles, benefits, privileges and advantages hereby sold, assigned and conveyed, or intended so to be.

AND, furthermore, I, *Stephen C. Jacobsen* covenant and agree with said *Precision Vascular Systems, Inc.*, its successors and assigns, that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by me and that full right to convey the same as herein expressed is possessed by me.

The parties hereto acknowledge that they have specifically requested the present agreement to be drawn up in the English language.

In Witness Whereof, we have hereunto set our hands and affixed our seals as follow:

  
\_\_\_\_\_  
Stephen C. Jacobsen

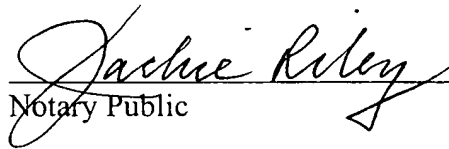
Dec. 1/04  
\_\_\_\_\_  
Date

STATE OF Utah )  
COUNTY OF Salt Lake ) ss.

On this 1st day of December, 2004, before me personally appeared Stephen C. Jacobsen, to me known to be the person described in and who executed the foregoing instrument and acknowledged that he/she executed the same as his/her free act and deed.



(Seal)

  
\_\_\_\_\_  
Notary Public



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## Electronic Patent Assignment System

## Confirmation Receipt

Your assignment has been received by the USPTO.  
The coversheet of the assignment is displayed below:

## PATENT ASSIGNMENT

Electronic Version v1.1

Stylesheet Version v1.1

<b>SUBMISSION TYPE:</b>	NEW ASSIGNMENT
<b>NATURE OF CONVEYANCE:</b>	ASSIGNMENT
<b>CONVEYING PARTY DATA</b>	
<b>Name</b>	<b>Execution Date</b>
STEPHEN C. JACOBSEN	12/01/2004
<b>RECEIVING PARTY DATA</b>	
<b>Name:</b>	SCIMED LIFE SYSTEMS, INC.
<b>Street Address:</b>	One SciMed Place
<b>City:</b>	Maple Grove
<b>State/Country:</b>	MINNESOTA
<b>Postal Code:</b>	55311
<b>PROPERTY NUMBERS Total: 1</b>	
<b>Property Type</b>	<b>Number</b>
<b>Application Number:</b>	10604504
<b>CORRESPONDENCE DATA</b>	
<b>Fax Number:</b>	(612)359-9349
<i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i>	
<b>Phone:</b>	612-677-9050
<b>Email:</b>	thu.le-to@cstlaw.com
<b>Correspondent Name:</b>	Crompton, Seager & Tuft
<b>Address Line 1:</b>	1221 Nicollet Avenue
<b>Address Line 2:</b>	Suite 800
<b>Address Line 4:</b>	Minneapolis, MINNESOTA 55403

<b>NAME OF SUBMITTER:</b>	J. Scot Wickhem
<b>Signature:</b>	/j. scot wickhem/
<b>Date:</b>	12/17/2004
<b>Total Attachments: 2</b> source=Assignment#page1.tif source=Assignment#page2.tif	
<b>RECEIPT INFORMATION</b>  EPAS ID: PAT16953 Receipt Date: 12/17/2004 Fee Amount: \$40	

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**P A T E N T**


**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: CLARK C. DAVIS et al. Confirmation No.: 1503  
Serial No.: 10/604,504 Examiner: Marmor II, Charles Alan  
Filing Date: JULY 25, 2003 Group Art Unit: 3736  
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METHOD OF MAKING SAME  
Docket No.: 1001.1869101 Customer No.: 28075

**REVOCATION OF PRIOR POWERS OF ATTORNEY**  
**AND POWER OF ATTORNEY**

MAIL STOP: AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**CERTIFICATE UNDER 37 C.F.R. 1.10:** The undersigned hereby certifies that this paper or papers, as described herein, are being deposited in the United States Postal Service, "Express Mail Post Office to Addressee" having an Express Mail mailing label number of: EV 315611506 US, in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 17<sup>th</sup> day of DECEMBER, 2004.

By   
Thu H. Le-To

Dear Sir:

Precision Vascular Systems, Inc., the owner of the entire right, title and interest in and to the above-identified patent/application, hereby revokes all previous powers of attorney and appoints the attorneys and/or agents associated with Customer No. **28075** to prosecute the above-identified patent or application, including all continuations and divisionals thereof, and to transact all business in the U.S. Patent and Trademark Office connected therewith.

Pursuant to 37 C.F.R. §3.73(b), Precision Vascular Systems, Inc., a corporation, certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of an assignment, recorded on August 19, 2003, at Reel 013884, Frame 0463.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee by virtue of the attached Limited Authorization to Act on Behalf of Assignee Regarding Certain Patent Matters.

Address all telephone calls to J. Scot Wickhem at telephone number (612) 677-1700.

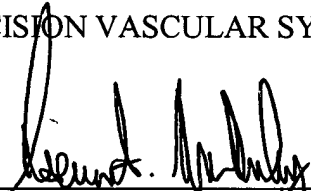
Address all correspondence to J. Scot Wickhem, Customer No. **28075**.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

PRECISION VASCULAR SYSTEMS, INC.

Date 11/17/04

By:   
Name: Steven A. McAuley  
Title: Patent Counsel